

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION

UNITED STATES OF AMERICA)
v.) No. 2:19-cr-00013
GEORGIANNA A.M. GIAMPIETRO) Chief Judge Crenshaw

GOVERNMENT'S NOTICE RELATING TO SENTENCING

The United States of America, by and through its attorneys, the United States Attorney for the Middle District of Tennessee and the Chief of the Counterterrorism Section of the National Security Division, United States Department of Justice, hereby files its notice relating to the upcoming sentencing hearings scheduled by the Court.

During a status hearing held on May 18, 2022, the Court instructed the government to advise the Court, by May 27, 2022, whether there would be a need to conduct a hearing, pursuant to *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993), to determine the admissibility of either of the opinion witnesses proffered by the defendant at the hearing scheduled for June 24, 2022. In accordance with that directive, the government hereby advises that it will not request the Court to hold a *Daubert* hearing before the defendant presents her witnesses on June 24, 2022. However, the government, through cross-examination, fully intends to challenge the substance of the witnesses' anticipated testimony at the sentencing hearing.

Additionally, the government has further determined that it does not intend to present witnesses at the hearing scheduled for June 24, 2022. Instead, as previously indicated, the government expects to rely upon and present documentary evidence already in the record in this case, as necessary, to support its position. The government, however, reserves the right to call

witnesses or present evidence needed to correct or rebut any error or misstatement of the record or evidence in this case.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on May 27, 2022, I am electronically filing a copy of the foregoing document with the Clerk of the Court by using the CM/ECF system, which will send a Notice of Electronic Filing to counsel of record for the defendant in this case.

/s/ Philip H. Wehby
PHILIP H. WEHBY
Assistant United States Attorney